

ORDINANCE NO. 23-001

AN ORDINANCE OF THE CITY OF AMES, TEXAS, PROVIDING FOR A GENERAL ELECTION TO BE HELD ON THE 6TH OF MAY, 2023 FOR THE PURPOSE OF ELECTING A MAYOR, AND TWO (2) WARD COUNCILMEMBERS (WARDS III AND V) AND; PROVIDING THE FORM OF THE BALLOT AT SUCH ELECTION; DIRECTING THE GIVING OF NOTICE OF SUCH ELECTION; PROVIDING FOR A JOINT ELECTION WITH THE LIBERTY INDEPENDENT SCHOOL DISTRICT AND LIBERTY COUNTY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT AND APPROVING A RUNOFF ELECTION IF NECESSARY ON A SUBSEQUENT DATE AS DETERMINED BY THE COUNTY ELECTIONS ADMINISTRATOR.

BE IT ORDAINED BY THE CITY OF AMES:

Section 1

In accordance with the Constitution, and general laws of the State of Texas, a general municipal election is hereby called and ordered for the first Saturday in May, 2023, the same being the 6th day of said month, at which election all qualified voters residing within the corporate limits of the City of Ames may vote for the purpose of electing a Mayor, and two (2) Councilmembers to Wards III and V, for full terms.

Section 2

No person's name shall be placed upon the official ballot as a candidate for any of the above-mentioned positions unless such person has filed his or her sworn application, as provided by Section 141.031, Section 143.004, and Section 143.007 of the Texas Election Code, with the Acting City Secretary, not later than five o'clock (5:00) p.m. on the seventy-eighth (78th) day before the date of such election. The Acting City Secretary

shall note on the face of each such application the date and time of its filing. A declaration of write-in candidacy must be filed with the Acting City Secretary as provided by Section 146.054 of the Texas Election Code, not later than five o'clock (5:00) p.m. of the seventy-fourth (74th) day before Election Day.

Section 3

Said election shall be held jointly with the Liberty Independent School District in accordance with Chapter 271 of the Texas Election Code; the Liberty County Election Administrator will coordinate, supervise, and manage all aspects of administering said joint election in accordance with the provisions of the Texas Election Code.

Section 4

Legally qualified voters residing within the corporate limits of the City of Ames shall be entitled to a vote at said election for the respective candidate(s) and other matters that may appear on the ballot.

Section 5

The notice and order of said election shall be given by posting and publishing said notice and order as provided by the Texas Election Code.

Section 6

That an electronic voting system, as described by Title 8 of the Texas Election Code, shall be used for said election.

Section 7

That the Liberty County Commissioners shall appoint officers of said election to serve at the Central Counting Station.

Section 8

Procuring, allocating, and distributing election supplies shall be prepared in accordance with Title 5 of the Texas Election Code.

Section 9

That the Liberty County Elections Administrator, Klint Bush, is hereby appointed Secretary for early voting. Early voting by personal appearance shall be conducted each weekday at the Jack Hartel Community Center, 318 San Jacinto Street, Liberty, Texas, 77575, between the hours of 8:00am to 5:00pm beginning April 24, 2023, and ending April 28, 2023, and between the hours of 7:00am to 7:00pm beginning May 1, 2023 and ending May 2, 2023.

Early voting ballot applications and ballots voted by mail shall be sent to the Klint Bush, Liberty County Election Administrator, Liberty Co. Courthouse, 1923 Sam Houston Street, Liberty, Texas, 77575. The Liberty County Election Administrator shall keep said office open for at least eight (8) hours between 8:00 a.m. and 5:00 p.m., on each day for early voting or an official State Holiday beginning on the twelfth (12th) day through the fourth (4th) day preceding the date of such election; provided, however, except as authorized by Sections 85.005 (a) and (d), Texas Election Code, said County Elections Administrator shall not permit anyone to vote early by personal appearance on any day or time not designated herein for early voting and under no circumstances shall he permit anyone to vote early by personal appearance at any time when his office is not open to the public for early voting purposes.

Early Voting Dates and Times

Monday - April 24, 2023 (8:00 a.m. to 5:00 p.m.)
Tuesday - April 25, 2023 (8:00 a.m. to 5:00 p.m.)
Wednesday - April 26, 2023 (8:00 a.m. to 5:00 p.m.)
Thursday - April 27, 2023 (8:00 a.m. to 5:00 p.m.)
Friday - April 28, 2023 (8:00 a.m. to 5:00 p.m.)
Saturday – POLLS CLOSED
Sunday – POLLS CLOSED
Monday - May 1, 2023 (7:00 a.m. to 7:00 p.m.)
Tuesday - May 2, 2022 (7:00 a.m. to 7:00 p.m.)

Section 10

That early votes by personal appearance and by mail shall be counted by an early voting ballot board consisting of a presiding judge and those individuals chosen by the Elections Administrator, as are deemed necessary. Early votes shall be canvassed and returned by the Early Voting Ballot Board to the Central Counting Station by 7:00 p.m. on Election Day.

Section 11

If any person or persons appointed herein do not appear, are unable to perform their duties, or fail to perform their duties, the County Elections Administrator shall have the discretion and authority to appoint any substitute personnel to fill the position(s).

Section 12

The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the Acting City Secretary, as provided by Section 52.094 of the Texas Election Code. The Acting City Secretary shall post a notice in the office of City Secretary, 304 Martin Dr., Ames, Texas, 77575 at least seventy-two (72) hours prior to the date on which the drawing is to be held, of the time and place of the drawing, and

shall also give personal notice to any candidate who makes written request for such notice and furnishes to the Acting City Secretary a self-addressed, stamped envelope. Each candidate involved in the drawing, or a representative designated by the candidate, shall have a right to be present and observe the drawing.

Section 13

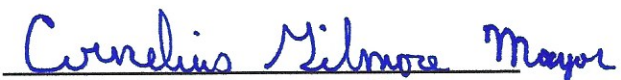
That if any section, subsection, sentence, clause, or phrase of this ordinance, or the application of same to a particular set of persons or circumstances, should for any reason be held to be invalid or adjudged unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the remaining portions of this ordinance, and to such end the various portions and provisions of this ordinance are declared to be severable; and the City Council of the City of Ames, Texas, declares it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 14

That all ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

The meeting at which this ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

PASSED BY THE CITY COUNCIL of the City of Ames this the 9th day of January 2023.


- Mayor Cornelius Gilmore -